

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

JAMES C. WINDING, #K8115

PLAINTIFF

VERSUS

CIVIL ACTION NO. 4:09-cv-134-DPJ-FKB

LEE THAGGARD, et al.

DEFENDANTS

FINAL JUDGMENT

This cause is before the Court, *sua sponte*, for consideration of dismissal. As reflected in the Order of the Court issued this day, Plaintiff's claims are not cognizable under 42 U.S.C. § 1983. Consequently, it is hereby,

ORDERED AND ADJUDGED that this cause be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), with prejudice, for failure to state a claim upon which relief may be granted.

Since this case is dismissed in accordance with the above mentioned provision of the Prison Litigation Reform Act, it will be counted as a "strike" pursuant to 28 U.S.C. § 1915(g).

**SO ORDERED AND ADJUDGED** this the 17<sup>th</sup> day of March, 2010.

s/ Daniel P. Jordan III  
UNITED STATES DISTRICT JUDGE